

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

**THURSDAY
JANUARY 31, 2013
5:00 P.M.**

PLANNING DEPARTMENT CONFERENCE ROOM

ANNUAL MEETING

MEETING NOTES

PRESENT:

JOE GILLIS, CHAIRMAN
FRAN REED, TREASURER
WILLIAM SULLIVAN, SECRETARY
TODD RULISON, MEMBER
LEN HOUSE, MEMBER
GEORGE BEVINGTON, MEMBER
JAMES MRAZ, IDA EXECUTIVE DIRECTOR
KARA LAIS, FITZGERALD, MORRIS, BAKER, FIRTH PC
CHAD KORTZ, C.T. MALE

WELCOME NEW IDA MEMBER:

- Joe Gillis, Chairman, welcomed George Bevington as the new member to the Fulton County Industrial Development Agency Board of Directors. Mr. Gillis stated that Mr. Bevington was appointed on January 14, 2013 to replace Arlene M. Sitterly, who had served on the IDA Board since 1971. Jim Mraz stated that he met recently with George Bevington to provide background and training regarding workings of the IDA. He stated he provided Mr. Bevington with a binder containing key IDA documents for his review and use.

I. MINUTES FROM NOVEMBER 8, 2012 MEETING:

MOTION : Accept as presented.
MADE BY : William Sullivan
SECONDED : Francis Reed
VOTE : Unanimous

II. BUDGET REPORTS:

MOTION : Accept as presented.
MADE BY : Todd Rulison
SECONDED : Len House
VOTE : Unanimous

III. COMMITTEE REPORTS:

A. Nominating Committee:

1. Report of Nominating Committee: 2013 Officers

Chairman	: Joe Gillis
Vice-Chairman	: Len House
Treasurer	: Bill Sullivan
Secretary	: Todd Rulison

IDA DISCUSSION: Joe Gillis stated that Fran Reed will be stepping down as the Treasurer of the IDA. He offered thanks to Mr. Reed on behalf of the entire IDA Board for his many years of dedicated service as the IDA Treasurer.

IDA ACTION:

MOTION	:	To accept the report of the Nominating Committee for 2013 IDA Officers
MADE BY	:	George Bevington
SECONDED	:	Todd Rulison
VOTE	:	Unanimous

B. Audit Committee:

- No report.

C. Governance Committee:

- No report.

D. Finance Committee:

- No report.

IV. OLD BUSINESS:

A. Lot Sale Payment from 1988 Incubator Building Project in Crossroads Industrial Park:

- No new information.

B. Tryon Technology Park and Incubator Center Project:

1. Property Line Survey:

- Property line survey completed by Ferguson and Foss Surveyors.
- Total acreage at Tryon:
 - North side CR 107 : 488.987 acres
 - South side CR 107 : 26.712 acres
 - **Total** : **515.699 acres**

- Jim Mraz e-mailed survey to NYS Office of General Services (NYSOGS) on January 9th to review and comment. NYSOGS had requested to see draft copy of survey before it was finalized.

2. Wetlands Delineation:

- Two (2) U.S. Army Corps of Engineers' regulated wetlands were found on site:
 - 15.4 acres : Inside of Loop Road
 - 1.7 acres : East Side of Access Road

IDA DISCUSSION: Jim Mraz reviewed the property line survey map that has been completed by Ferguson and Foss Surveyors. He stated that he sent the draft survey to NYS Office of General Services (OGS) recently for their review per their request. OGS did provide comments to the survey which were forwarded to Chris Foss. The comments included the identification of a couple of easements that OGS had on file as well as several deeds that OGS also had that were not available to Chris Foss. He stated that this information has been forwarded to Chris Foss who will be revising the survey accordingly.

One question that remains regarding the survey is the existence of a small private cemetery near the wastewater pumping station on the former Tryon Campus. Jim Mraz stated he needs to have clarified by Ferguson and Foss whether that cemetery sits on a separate parcel of land or whether it's on the Tryon parcel that will be deeded to the IDA.

Jim Mraz stated C.T. Male has completed a Wetlands Delineation Study of the former Tryon Campus. Two (2) federal wetlands were found as identified on the Agenda. Jim Mraz reviewed the survey map showing the approximate locations for these wetlands. George Bevington asked what setback requirements exist for these wetlands and will they be impacted by the proposed new road. Chad Kortz stated that there are no setbacks for federal wetlands. He stated that the proposed road would be located so as to not impact these wetlands and therefore not require the acquisition of any federal or State wetland permits.

3. Meeting with C.T. Male and Prime Companies:

a. Background:

- On December 14, 2012, a Project Planning Meeting was held.
- Meeting was attended by representatives of:
 - C.T. Male/Prime Companies
 - IDA
 - Fulton County
- Meeting was scheduled by Fulton County as part of its Agreement with C.T. Male to prepare a Site Plan for Tryon and design plans and bid specifications for the installation of new water/sewer lines and construction of new internal loop road.
- As part of its Agreement with Fulton County, C.T. Male brought in Jack Kelley from Prime Companies to provide some marketing ideas/advice. Mr. Kelley is their Director of Economic Development.

b. Observations:

- The following observations were made at this meeting:
 - Tryon should not be marketed to one specific industry.
 - If Tryon is to be targeted for technology businesses, Fulton County needs to learn about the technology industry and their outlook on an areas quality of life.
 - Tryon may not be able to attract supply chain companies for Globalfoundaries since Globalfoundaries often requires these companies to be able to respond to a service call within 5-10 minutes.
 - Two (2) potential industries that could be targeted include: Photovoltaic and Food Packaging.
 - On-site cogeneration facilities should be considered.
 - The Classroom, Pool, Gym and Auditorium Buildings should be retained. They can add to the quality of life in the Park.
 - Market the Tryon Technology Park and Incubator Center should include:
 - 1) Develop marketing brochures/products.
 - 2) Create a website for the Park.
 - 3) Conduct public outreach program to inform the public and others about Tryon.
 - 4) List the property with an international brokerage firm using a fee structure based on success.
 - 5) Establish a travel budget to partner with organizations like the Center for Economic Growth and NYS Economic and Development Council to attend key trade shows, conferences and seminars where the Tryon Technology Park and Incubator Center can be marketed to national site selectors and commercial realtors.

IDA DISCUSSION: Jim Mraz reviewed the information on the Agenda regarding the recent meeting held between C.T. Male, Prime Companies, Fulton County officials and IDA officials. He stated that Bill Sullivan, Todd Rulison and Fran Reed were present at this meeting representing the IDA. Todd Rulison stated that he felt Mr. Kelley was very positive about the potential for redeveloping Tryon. Bill Sullivan stated that he was equally impressed with what Mr. Kelley had to say about Tryon.

4. Preliminary Site Plan:

a. Review Preliminary Site Plan prepared by C.T. Male.

IDA DISCUSSION: Jim Mraz stated that C.T. Male's contract with Fulton County calls for it to prepare a conceptual site plan for Tryon. He reviewed a first draft of a conceptual site plan for Tryon. He stated that this plan calls for a total of nine (9) shovel-ready sites to be identified. He stated that the intent would be for these lots to have floating lot lines. This would allow for the IDA to have flexibility in creating sites to meet the specific needs of a particular company.

Jim Mraz stated that one of the issues being discussed is whether the site plan should include smaller lots to accommodate smaller projects that may come to Fulton County. There was a brief discussion regarding this matter. While there is a potential for smaller projects to be attracted to Tryon, most IDA Board members felt that bigger is better. It was agreed that most of the Tryon Park should be laid out with large lots to try and accommodate larger projects. Jim Mraz stated that C.T. Male will continue to be working with Fulton County and the IDA to refine this site plan. He stated that another meeting will be held with Jack Kelley at which time a draft site plan would be reviewed with him for his input and suggestions.

Jim Mraz identified the proposed project that is hoped to be done in 2013. The proposed project would include the construction of a new road that would create an interior loop road at Tryon that would allow for all developable land to be situated on the outside of this loop road. The proposed project would also include the installation of new water and sewer lines around that loop road. He stated that the \$2 million grant awarded to Fulton County from the State would be used to pay for the cost of this work. He added that Fulton County has budgeted dollars in the 2013 County Budget to repave the balance of the interior loop road from County Road 107.

V. NEW BUSINESS:

A. 2013 Committee Appointments:

- Per the IDA's Bylaws, the Chairman shall annually appoint members to the IDA's Committees.
- The following is the list of Committee appointments for 2013.

<u>Committee</u>	<u>2012 Appointees</u>	<u>2013 Appointees</u>
1. Audit	1. Len House 2. Fran Reed 3. William Sullivan	1. Len House 2. Fran Reed 3. William Sullivan
2. Governance	1. Arlene Sitterly 2. Todd Rulison 3. Joseph Gillis	1. Todd Rulison 2. Joseph Gillis 3. George Bevington
3. Finance	1. Fran Reed 2. Todd Rulison 3. William Sullivan	1. Fran Reed 2. Todd Rulison 3. William Sullivan
4. Nominating	1. Arlene Sitterly 2. Joseph Semione 3. Len House	1. Joseph Semione 2. Len House 3. George Bevington

B. Staff Appointments:

1. The IDA's Bylaws require that the IDA Board of Directors annually appoint:
 - Executive Director
 - Auditor

Executive Director:

MOTION: To appoint Jim Mraz to serve as the IDA's Executive Director for 2013 at a salary of \$18,000/year.

MADE BY: Joe Gillis
SECONDED: Todd Rulison
VOTE: Unanimous

Auditor:

MOTION: To appoint West & Company to serve as the IDA's Auditor for 2013.

MADE BY: Len House
SECONDED: George Bevington
VOTE: Unanimous

C. Audit of IDA's 2012 Financial Statements:

1. Engagement Letter from West & Company:

- Engagement Letter identifies West & Company's scope of work to audit the IDA's 2012 financial statements and for providing payroll services in 2013.
- Total Fee: \$ 9,500 Audit
\$ 500 Payroll
- These funds are included in IDA's 2013 Budget.

MOTION: To authorize the Chairman to sign the Engagement Letter with West & Company for preparing the 2012 Financial Audit and provide payroll services in 2013 at a total cost of \$10,000.

MADE BY: Fran Reed
SECONDED: Joe Gillis
VOTE: Unanimous

D. Legal Counsel:

1. General Services:

- It is recommended that the IDA retain the law firm of Fitzgerald, Morris, Baker, Firth, PC to serve as IDA Counsel in 2013 and provide general legal services.
- Total Retainer: \$5,000
- These funds are included in IDA's 2013 Budget.

MOTION: To authorize the Chairman to execute an Agreement with Fitzgerald, Morris, Baker and Firth, PC to provide general legal services in 2013 at a total retainer fee of \$5,000.

MADE BY: Todd Rulison

SECONDED: Joe Gillis

VOTE: Unanimous

2. Legal Services for Tryon Technology Park and Incubator Center Project:

- It is recommended that the IDA retain the law firm of Fitzgerald, Morris, Baker, Firth, PC to provide legal services to the IDA in 2013 for the Tryon Technology Park and Incubator Center Project.
- Total Retainer: \$3,000
- These funds are included in IDA's 2013 Budget.

MOTION: To authorize the Chairman to execute an Agreement with Fitzgerald, Morris, Baker and Firth, PC to provide legal services in 2013 at a total retainer fee of \$3,000.

MADE BY: Len House

SECONDED: George Bevington

VOTE: Unanimous

E. Financial Officer:

- It is recommended that the IDA retain Carol Ellis to perform financial services for the IDA in 2013.
- Total Fee: \$500
- These funds are included in IDA's 2013 Budget.

MOTION: To authorize the Chairman to execute an Agreement with Carol Ellis to provide financial services to the IDA in 2013 at a total fee of \$500.

MADE BY: Fran Reed

SECONDED: Todd Rulison

VOTE: Unanimous

F. Marketing Agreement with Fulton County Center for Regional Growth:

- It is recommended that the IDA renew its Marketing Agreement with the CRG.
- Total Cost: \$5,000/year
- Term: January 1, 2013 – December 31, 2014.
- Funds are included in IDA's 2013 Budget for 2013. Funds will need to be budgeted for 2014.

IDA ACTION:

MOTION: To authorize the Chairman to execute a Marketing Agreement with the CRG for January 1, 2013 – December 31, 2014 at an annual cost of \$5,000.

MADE BY: Len House

SECONDED: Bill Sullivan

VOTE: Unanimous (Todd Rulison abstained)

G. 2012 Performance and Measurement Report:

1. Background:

- The 2009 Public Authorities Reform Act requires public authorities to develop performance measures to assist public authorities determine how well they are carrying out their mission.
- Performance measures assist the IDA Board and management to evaluate and monitor whether the IDA's authority's policies and operating practices are in accordance with its mission.

2. Review 2012 Performance and Measurement Report:

- See Handout.

IDA DISCUSSION: Jim Mraz reviewed the information on the Agenda, as well as the 2012 Performance and Measurement Report that was attached to the Agenda. IDA members reviewed the report. Jim Mraz asked if there were any questions regarding the report. There were none.

IDA ACTION:

MOTION: To authorize and direct the Chairman to sign the 2012 Performance and Measurement Report and to direct the Executive Director to file said Report with the ABO.

MADE BY: Todd Rulison

SECONDED: George Bevington

VOTE: Unanimous

H. 2012 IDA Board Performance Questionnaire:

1. Background:

- The 2009 Public Authorities Reform Act requires board members of public authorities to conduct an annual evaluation of its performance.
- Evaluation forms were distributed to all IDA Board members.
- Executive Director has collected the forms and tallied the results.

2. Review Summary of 2012 IDA Board Performance Questionnaire

- See Handout.

IDA DISCUSSION: Jim Mraz reviewed the information on the Agenda, as well as the handout providing the summary of the Board Performance Questionnaire. He asked if there were any questions regarding the 2012 Questionnaire. There were none.

IDA ACTION:

MOTION: To authorize the Executive Director to submit the 2012 Summary of IDA Board Performance Questionnaire to the ABO.

MADE BY: Joe Gillis

SECONDED: Fran Reed

VOTE: Unanimous

I. 2012 Assessment of the Effectiveness of Internal Financial Controls System:

1. Background:

- The IDA's Policy 11 requires the IDA Board and management to complete an annual assessment of the effectiveness of the IDA's internal financial control system.

2. IDA's Internal Financial Control System:

- See Handout.

3. Management's Assessment of Internal Financial Control System:

- The Executive Director and Chief Financial Officer recommend one (1) change be made to the IDA's Internal Financial Control System to address a deficiency identified in how IDA checks are signed.

Amend Paragraph 3D to read:

E. All IDA checks shall have two (2) signatures. One shall be by the Chief Financial Officer. The second shall be by a member of the IDA's Audit Committee. **In the absence of the Chief Financial Officer, the second signature can be by another member of the IDA's Audit Committee.** The Executive Director shall not be an authorized signer.

4. Internal Financial Control System Certification:

- IDA's Policy 11 Annual Assessment of the Effectiveness of Internal Controls requires the IDA Board to adopt a certification statement upon completion of its annual review of the IDA's Internal Financial Control System.

- Proposed statement reads as follows:

“The IDA Board of Directors has documented and assessed the internal control structure and procedures of the Fulton County Industrial Development Agency for the year ending December 31, 2012. This assessment found the IDA’s internal controls were determined to be adequate, and to the extent that deficiencies were identified, the IDA has developed corrective action plans to reduce any corresponding risk.

IDA DISCUSSION: Jim Mraz reviewed the information on the Agenda. He reviewed the handout that was attached to the Agenda which was a copy of the IDA’s Internal Financial Control System. He stated that the Chief Financial Officer and Executive Director are recommending a change to the IDA’s Internal Financial Control System. The change would be with respect to how both two (2) signatures need to be provided on all IDA checks. He stated given Carol Ellis’ absence during December 2012, it came to light that the IDA’s check writing policy should be modified to provide flexibility. He stated he reviewed the proposed change as indicated in the Agenda. All IDA members present agreed that this was the appropriate change to make.

IDA ACTION:

MOTION: Approve modifying the IDA’s Internal Financial Control System as recommended by the CFO and Executive Director, to adopt the Certification Statement presented above and to authorize and direct the Executive Director to submit acknowledge in PARIS that said Certification Statement was approved by the IDA Board.

MADE BY: Fran Reed
 SECONDED: Todd Rulison
 VOTE: Unanimous

J. IDA Policy 09: Check Writing:

1. Background:

- The IDA’s Policy 09 currently states:
 “All checks issued by the Agency shall have two (2) signatories. One shall be by the Chief Financial Officer. The second shall be by a member of the Audit Committee or Treasurer if the Treasurer is not a member of the Audit Committee.”
- It is recommended that the IDA amend this Policy to read:
 “All checks issued by the Agency shall have two (2) signatories. One shall be by the Chief Financial Officer. The second shall be by a member of the Audit Committee. In the absence of the Chief Financial Officer, the second signature can be by another member of the Audit Committee.”

IDA DISCUSSION: Jim Mraz reviewed the information on the Agenda. He stated the IDA's policy needs to be changed to reflect the change that was just made to the Internal Financial Control System.

IDA ACTION:

MOTION: To modify the IDA Policy 9 as recommended.

MADE BY: Len House

SECONDED: Joe Gillis

VOTE: Unanimous

K. IDA's 2012 Annual Report:

- The Draft 2012 Annual Report was mailed to all IDA members prior to the meeting.
- Review Draft 2012 Annual Report.

IDA DISCUSSION: Jim Mraz reviewed the draft 2012 Annual Report that had been previously mailed to all IDA members. He asked if there were any suggested changes, corrections or additions. There were none.

IDA ACTION:

MOTION: To approve the IDA's 2012 Annual Report and to authorize and direct the Executive Director to file the report under PARIS and as required by the Public Authorities Accountability Act.

MADE BY: Fran Reed

SECONDED: Todd Rulison

VOTE: Unanimous (George Bevington abstained)

VI. OTHER BUSINESS:

A. Fire Tax Bill for IDA Properties on NYS Route 30A:

- IDA owns two (2) vacant parcels of land on the east side of NYS Route 30A.
- Both parcels are in the Town of Johnstown.
- 2013 County tax bills have been received. Even though the IDA is tax exempt, it is not exempt from fire taxes.
- 2013 Fire Tax Bills are:
 - 174.-2-66 : \$26.78
 - 174.-2-65 : \$27.16

IDA ACTION:

MOTION: To authorize the payment of these two (2) fire tax bills.

MADE BY: Todd Rulison

SECONDED: George Bevington

VOTE: Unanimous

B. 2012 PILOT Report:

1. Background:

- Each year, the IDA monitors all PILOT Agreements it has on projects to verify that PILOT payments are being made per the PILOT Agreements.
- Each year, the IDA sends a letter to every company it has a PILOT with asking that they fill out a PILOT Report.
- The IDA also sends a similar letter to all local taxing jurisdictions impacted by an IDA PILOT. The information from local taxing jurisdictions is used to compare against the information received from companies.
- The 2012 letters and reports were sent out on November 13, 2012.

2. Status Report:

- To date, the IDA has received responses from:

Companies:

YMCA

Swany

CIC

NLH

STAG

Municipalities:

City of Gloversville

Fulton County

Greater Johnstown School District

City of Johnstown

- On January 15, 2013, follow-up letters were sent to the following because they did not respond to the IDA's November 13, 2012 letter:

Companies:

Euphrates

Municipalities:

Fonda-Fultonville School District

3. As of January 1, 2013, the IDA has active PILOT Agreements with the following projects:

Owner	Lessee	Address	Occupant
IDA	STAG	200 Union Ave.	Pioneer Windows
IDA	STAG	199 Enterprise	Vacant
IDA	CIC	160 Enterprise	Vacant
IDA	Euphrates	230 Enterprise	Euphrates
IDA	Swany	115 Corporate Drive	Swany
IDA	CG Roxane	325 Watershed Drive	CG Roxane

C. Proposed New Limitation on IDA's Ability to Offer Sales Tax Exemptions:

1. Background:
 - a. Since IDA's were created over 40 years ago by the NYS Legislature, IDA's have been authorized to offer sales tax exemptions to eligible projects.
 - b. The exemption applied to materials used in the construction of a project facility and purchase of eligible equipment.
 - c. The exemption included both the State and local sales tax.
2. Proposed Legislation in Governor's 2013-14 Executive Budget:
 - a. The proposed bill would restrict an IDA's authority as follows:
 - 1) Eligible Projects:
 - An IDA could only grant State sales tax exemptions to an agent or project operator that has been certified as a participant in the Excelsior Jobs Program.
 - Additionally, firms in strategic industries that make significant capital investment and have at least 50 employees are also eligible for the Program.
 - 2) State Approval:
 - Before an IDA could award State sales tax exemption, it would need to receive a determination from the Commissioner of Economic Development, in consultation with the Regional Economic Development Council, that the benefit plan is consistent with regional economic development strategies.
 - An IDA would not be able to provide State sales tax exemption greater than that approved by the Commissioner of Economic Development.
 - 3) Payment and Refund of Sales Tax:
 - Businesses would have to pay the sale tax upfront and then submit a claim for a refund and wait for the State to issue this refund.
 - 4) Reporting:
 - An IDA would be required to send notice to the Tax Department when its appointment of an agent/project operator has expired or been revoked.

- b. The proposed bill would not affect an IDA's right to grant local sales tax exemption.
- c. The bill would take effect immediately and apply to:
 - Any IDA project established, agent or project operator appointed, financial assistance provided or agreement regarding payments in lieu of taxes entered into on or after the bill's effective date or which is amended or revised on or after the bill's effective date (which would include an extension of the sales tax exemption period);
 - Any State sales tax benefits recovered, recaptured, received or otherwise obtained by an IDA on or after the bill's effective date; and
 - Any payments in lieu of State sales and use taxes that an IDA received on or after the bill's effective date.

The State sales tax rate is currently 4% and would not change under the proposed bill.

d. Request from NYSEDC:

- NYSEDC has asked all IDA's in New York State to make a voluntary donation to hire a lobbying firm to work against the passage of this proposed bill.
- NYSEDC has also urged all IDA's to write letters to Governor Cuomo and their Senators and Assemblymen urging that this proposed bill be defeated.
- See handout.

IDA DISCUSSION: Jim Mraz reviewed the information on the Agenda. He stated that NYS Economic Development Council has recommended that all IDA's contact the Governor and their Senators and Assemblymen urging them to defeat this proposed Executive Budget Bill. He stated he has drafted letters for Chairman Gillis to sign on behalf of the IDA that would go to Governor Cuomo, Senator Farley and Assemblyman Butler. He stated that the Empire State Development Council has also asked IDA's to make a voluntary donation to hire a lobbying firm to work against the passage of this Bill. The EDC's Voluntary Program would have the Fulton County IDA making a \$1,000 contribution based upon the size of its annual budget. Jim Mraz asked IDA members if they wanted to make a voluntary donation. George Bevington asked if this sales tax exemption was an important incentive for IDA's. Jim Mraz stated, "Yes." George Bevington stated that if this important to the IDA then it would be important for it to help in the hiring of a lobbying firm to help defeat this Bill. Fran Reed asked Jim Mraz what his recommendation would be. Jim Mraz recommended that the IDA make a \$500 voluntary contribution towards the cost of hiring a lobbying firm.

IDA ACTION:

MOTION: To authorize the Chairman to send letters to Governor Cuomo, Senator Farley and Assemblyman Butler expressing the Fulton County IDA's opposition to this proposed Bill and to authorize a \$500 payment to the NYS Economic Development Council to pay for the cost of hiring a lobbying firm to work against the passage of this Bill.

MADE BY: Fran Reed
SECONDED: Bill Sullivan
VOTE: 5 in favor, 1 opposed

D. Review Application for Sublease Approval:

1. Background:

- IDA Policy 12 requires that the IDA Board approve all subleases for properties the IDA has title to.

2. Application for Sublease Approval:

- CIC has submitted an Application for Sublease Approval to the IDA to sublease space in the IDA-owned property at 160 Enterprise Drive in the Johnstown Industrial Park:

Tenant	:	Yusen Logistics
Term	:	2/1/13 – 4/30/13
Space to be leased	:	20,000 sq. ft.

IDA DISCUSSION: Jim Mraz stated that the IDA received an Application for Sublease in accordance with the IDA's Policy. The application is for the IDA-owned property at 160 Enterprise Drive in the Johnstown Industrial Park. He stated this application is asking for the IDA's approval for the CIC to sublease a portion of this building to Yusen Logistics for a 3-month period. He stated the IDA's Policy calls for the applicants for subleases to pay a \$500 annual fee. He stated that since this is only a 3-month sublease, he recommends that the IDA waive this \$500 fee. He stated that the CIC is hoping to be entering into a longer term lease with Yusen starting in May. He stated if this occurs, the annual fee would apply to that longer term lease.

IDA ACTION:

MOTION: To approve the CIC's application to sublease space in 160 Enterprise Drive in accordance with its application and to waive the \$500 annual compliance fee.

MADE BY: Todd Rulison

SECONDED: Fran Reed

VOTE: Unanimous

E. Temporary Power for FAGE Expansion Project:

1. Background:

- IDA's Protective Covenants call for electrical services in Johnstown Industrial Park to be underground.
- City of Johnstown's Zoning Ordinance requires the same.

2. National Grid Request:

- National Grid has asked the IDA if they can run temporary power to construction trailers for FAGE Expansion Project with overhead lines and poles.
- Jim Mraz contacted City of Johnstown Fire Chief Heberer. Chief Heberer is okay with this request.
- It is recommended that the IDA approve this request.

IDA ACTION:

MOTION: To approve National Grid providing temporary electric service for the FAGE Expansion Project using overhead wires/poles and for said wires/poles to be immediately removed once the expansion project is complete.

MADE BY: George Bevington

SECONDED: Todd Rulison

VOTE: Unanimous

VII. CLOSE MEETING:

MOTION : To close the meeting.

MADE BY : Len House

SECONDED : Todd Rulison

VOTE : Unanimous

TIME : 6:10 p.m.